

1 JASON M. FRIERSON

2 United States Attorney

3 District of Nevada

4 Nevada Bar No. 7709

5 BLAINE T. WELSH

6 Nevada Bar Number 4790

7 HOLLY A. VANCE

8 Assistant United States Attorneys

9 United States Attorney's Office

10 400 S. Virginia Street, Suite 900

11 Reno, NV 89501

12 (775) 784-5438

13 Holly.A.Vance@usdoj.gov

14 Blaine.Welsh@usdoj.gov

15 Attorneys for Defendant Jake Vialpando

16 UNITED STATES DISTRICT COURT

17 DISTRICT OF NEVADA

18 RALPH COUNTRYMAN,

19 Plaintiff,

20 v.

21 JAKE VIALPANDO, LORELI LeBARON
22 AND DIANNE MOYLE,

23 Defendants.

Case No. 3:22-cv-00008-RCJ-CSD

ORDER GRANTING

**Motion for Extension to Respond to Civil
Rights Complaint**

(First Request)

24 Defendant Jake Vialpando, Field Manager for Bureau of Land Management,
25 hereby moves to extend the deadline in which to respond to the Civil Rights Complaint
26 (ECF 6) by 60 days from October 21, 2022 to December 20, 2022. An extension is
27 warranted because:

28 (1) AUSA Holly Vance, who is assigned to defend this case, was injured in an
accident on October 2, 2022. (Welsh Decl. ¶ 2);

(2) Based on the information available to the undersigned, AUSA Vance will not
be able to resume work in this case until November 14, 2022, at the earliest. She
underwent surgery today and will be in recovery for an estimated 4-6 weeks (Id.);

1 (3) All attorneys in the Civil Division of this office are handling a much higher
2 workload than normal (Welsh Decl. ¶ 3);

3 (4) From December 18, 2021 until now, four of the 14 attorneys in the civil division
4 have left the office (Id.);

5 (5) Two more attorneys in the civil division will be transferring to other U.S.
6 Attorney's Offices by the end of 2022 (Id.); and,

7 (6) Given those vacancies and the increased workloads, the undersigned is unaware
8 of any AUSA who could step into this case and process/prepare the response to
9 the complaint before December 20, 2022 (Id.).

10 In short, good cause exists to extend the deadline in the case. See Fed. R. Civ. P.
11 6(b)(1)(A) ("When an act may or must be done within a specified time, the court may, for
12 good cause, extend the time...with or without motion or notice if the court acts, or if a
13 request is made, before the original time or its extension expires[.]") (emphasis added).

14 A 60-day extension would result in the response being due December 20, 2022.

15 This is Defendant's first request for an extension of time. See LR IA 6-1(a) (must
16 advise of previous extensions). This motion is made in good faith and not for the purpose
17 of undue delay. (Welsh Decl. ¶ 4).

18 DATED: October 14, 2022.

19 JASON M. FRIERSON
20 United States Attorney

21 /s/ Blaine Welsh
22 BLAINE WELSH
23 Assistant U.S. Attorney
24

25 IT IS SO ORDERED.

26 DATED: October 17, 2022.

27 
28 UNITED STATES MAGISTRATE JUDGE